
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

JAYSON DICKINSON,

Plaintiff,

versus

BRAD LIVINGSTON, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:09-CV-338

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Jayson Dickinson, a prisoner previously confined at the Larry Gist State Jail, proceeding *pro se*, brought this civil rights action pursuant to 42 U.S.C. § 1983 against Brad Livingston and Reginald Goings.

The court ordered that this matter be referred to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends granting defendants' motion to dismiss for failure to state a claim upon which relief may be granted.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. Defendants' motion to dismiss is

GRANTED. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 6th day of December, 2010.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive style with a horizontal line underneath it.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE